



Asa Hutchinson
Governor

ARKANSAS DEPARTMENT OF AGRICULTURE

1 Natural Resources Drive, Little Rock, AR 72205
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Wes Ward
Secretary of Agriculture

Arkansas State Plant Board Monthly Dicamba Case Status Update Summary Information Regarding Dicamba Case Files as of August 31, 2020

2020 Case Files

Total Case Files

482 Total Cases Files
201 Received in Office from Field Staff
62 Total Case Files Closed by Staff
46 Case Files Closed by Staff with No Violation(s) Identified
16 Case Files Closed by Staff with Violation(s) Identified

Alleged Dicamba Case Files

215 Total Alleged Dicamba Case Files
32 Received in Office from Field Staff
5 Total Alleged Dicamba Closed by Staff
5 Case Files Closed by Staff with No Violation(s) Identified
0 Case Files Closed by Staff with Violation(s) Identified

Case Files Closed by Staff with No Violation(s) Identified is defined as staff having reviewed all the evidence contained within the Case File and no violations were identified. These case files require no further action by the Pesticide Committee or the Full Board.

Case Files Closed by Staff with Violation(s) Identified is defined as staff having reviewed all the evidence contained within the Case File and alleged violation(s) issued to the alleged violator(s). These Case Files may contain one or more individual alleged violations for one or more alleged violators.

A notice of each alleged individual violation(s) is issued to the alleged violator(s) when staff closes the Case File. After the Case File is closed, the violation(s) contained in those files are considered as individual alleged violation(s). The alleged violator(s) have the opportunity to contest the findings before the individual violation(s) are presented the Pesticide Committee and the Full Board. The individual violation(s) are considered pending until presented to the Pesticide Committee and Full Board.

Dicamba was identified as the pesticide causing symptoms in 14 of the Total Case Files.

Issued Violations (Individual Violations)

22 Total Issued Violations
4 Issued Violations associated with Dicamba

Issued Violations are defined as Violation(s) sent via certified mail to the alleged violator(s). The alleged violators have the opportunity to contest the findings before the violations are presented to the Pesticide Committee or the Full Board.



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Completed Alleged Dicamba Violations (Individual Violations)

The following violations associated have been identified and approved by the **Full Board**:

1. 0 Use During Prohibited Period (May 26th – October 31st)
2. 0 Drift
3. 0 Record Keeping Requirements (some required elements were not recorded) *
4. 0 License/Training Certificates

A total of \$0 in Civil Penalties has been approved by the **Full Board** along with 0 Warning Letters.

Alleged Dicamba Case Files by County:

Chicot	1
Clay	25
Craighead	17
Crittenden	9
Cross	14
Desha	5
Franklin	1
Greene	7
Jackson	1
Jefferson	1
Lawrence	1
Lee	17
Lincoln	2
Little River	1
Lonoke	1
Mississippi	31
Monroe	5
Phillips	43
Poinsett	19
Prairie	1
Pulaski	1
St. Francis	4
Woodruff	8



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2019 Case Files

Total Case Files

462 Total Cases Filed
462 Received in Office from Field Staff
425 Total Case Files Closed by Staff
 306 Case Files Closed by Staff with No Violation(s) Identified
 119 Case Files Closed by Staff with Violation(s) Identified

Alleged Dicamba Case Files

210 Total Alleged Dicamba Case Files
210 Received in Office from Field Staff
180 Total Alleged Dicamba Closed by Staff
 127 Case Files Closed by Staff with No Violation(s) Identified
 53 Case Files Closed by Staff with Violation(s) Identified

Case Files Closed by Staff with No Violation(s) Identified is defined as staff having reviewed all the evidence contained within the Case File and no violations were identified. These case files require no further action by the Pesticide Committee or the Full Board.

Case Files Closed by Staff with Violation(s) Identified is defined as staff having reviewed all the evidence contained within the Case File and alleged violation(s) issued to the alleged violator(s). These Case Files may contain one or more individual alleged violations for one or more alleged violators.

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Dicamba was identified as the pesticide causing symptoms in 158 of the Total Case Files.

Issued Violations (Individual Violations)

205 Total Issued Violations
120 Issued Violations associated with Dicamba

Issued Violations are defined as Violation(s) sent via certified mail to the alleged violator(s). The alleged violators have the opportunity to contest the findings before the violations are presented to the Pesticide Committee or the Full Board.



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Completed Alleged Dicamba Violations (Individual Violations)

The following violations associated have been identified and approved by the **Full Board**:

1. 0 Use During Prohibited Period (May 26th – October 31st)
2. 0 Drift
3. 0 Record Keeping Requirements (some required elements were not recorded) *
4. 0 License/Training Certificates

A total of \$0 in Civil Penalties has been approved by the **Full Board** along with 0 Warning Letters.

Alleged Dicamba Case Files by County:

Chicot	4
Clay	4
Craighead	4
Crittenden	30
Cross	9
Greene	4
Jefferson	6
Lee	9
Lincoln	1
Lonoke	2
Mississippi	63
Phillips	46
Poinsett	7
Pulaski	7
Randolph	1
St. Francis	3
White	2
Woodruff	8



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2018 Case Files

Total Case Files

456 Total Cases Filed
456 Received in Office from Field Staff
455 Total Case Files Closed by Staff
 313 Case Files Closed by Staff with No Violation(s) Identified
 142 Case Files Closed by Staff with Violation(s) Identified

Alleged Dicamba Case Files

200 Total Alleged Dicamba Case Files
200 Received in Office from Field Staff
199 Total Alleged Dicamba Closed by Staff
 136 Case Files Closed by Staff with No Violation(s) Identified
 63 Case Files Closed by Staff with Violation(s) Identified

Case Files Closed by Staff with No Violation(s) Identified is defined as staff having reviewed all the evidence contained within the Case File and no violations were identified. These case files require no further action by the Pesticide Committee or the Full Board.

Case Files Closed by Staff with Violation(s) Identified is defined as staff having reviewed all the evidence contained within the Case File and alleged violation(s) issued to the alleged violator(s). These Case Files may contain one or more individual alleged violations for one or more alleged violators.

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Dicamba was identified as the pesticide causing symptoms in 166 of the Total Case Files.

Issued Violations (Individual Violations)

558 Total Issued Violations
354 Issued Violations associated with Dicamba

Issued Violations are defined as Violation(s) sent via certified mail to the alleged violator(s). The alleged violators have the opportunity to contest the findings before the violations are presented to the Pesticide Committee or the Full Board.



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Completed Alleged Dicamba Violations (Individual Violations)

The following violations associated have been identified and approved by the **Full Board**:

1. 21 Use During Prohibited Period (April 16th – October 31st) (2 Egregious)
2. 9 Drift (2 Egregious)
3. 1 Failure to Provide Records
4. 19 Record Keeping Requirements (some required elements were not recorded) *
5. 16 License/Training Certificates

A total of \$153,700 in Civil Penalties has been approved by the **Full Board** along with 6 Warning Letters.

Alleged Dicamba Case Files by County:

Arkansas	2
Chicot	4
Clay	9
Craighead	10
Crittenden	48
Cross	11
Desha	1
Greene	3
Jackson	2
Jefferson	2
Lee	7
Mississippi	54
Monroe	1
Phillips	26
Poinsett	6
Pulaski	1
St. Francis	4
White	6
Woodruff	3



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2017 Case Files

Total Case Files

1312 Total Case Files
1312 Received in Office from Field Staff
1312 Case Files Closed by Staff *

Alleged Dicamba Case Files

1014 Total Alleged Dicamba Case Files
1014 Received in Office from Field Inspectors
1014 Case Files Closed by Staff *

*Case Files Closed by Staff is defined as staff having reviewed all the evidence contained within the Case File and alleged violation(s) issued to the alleged violator(s) or no violations were identified. Case Files with no violations identified require no further action by the Pesticide Committee or the Full Board.

Dicamba was identified as the pesticide causing symptoms in 900 of the Total Case Files.

Completed Alleged Dicamba Violations (Individual Violations)

The following violations have been identified and presented to the **Full Board**:

1. 78 Record Keeping Requirements (some required elements were not recorded) *
2. 121 Drift
3. 86 Buffer Zone
4. 52 License/Training Certificates
5. 1 Off Label Rate (so far all of the off label rates are associated with burndown applications not In-Crop applications of dicamba products)
6. 11 Off Label Tank Mix
7. 1 Improper Tank Clean out
8. 3 Sale of a Class H to an Unlicensed Individual
9. 3 Failure to provide records
10. 2 Wind Speed

A total of \$70,400 in Civil Penalties has been approved by the **Full Board** along with 256 Warning Letters.

Alleged Dicamba Case Files by County:

Arkansas	2
Ashley	5
Chicot	7
Clay	15
Craighead	109
Crittenden	184
Cross	46
Desha	10
Greene	10
Jackson	2



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Jefferson	4
Lawrence	2
Lee	69
Lincoln	2
Little River	1
Lonoke	9
Miller	2
Mississippi	261
Monroe	22
Phillips	50
Poinsett	98
Pulaski	3
Randolph	1
St. Francis	91
White	2
Woodruff	7